

IN RE: PETITION FOR VARIANCE  
N/S of Hinton Avenue, 115' SW  
of Second Street  
15th Election District  
7th Councilmanic District  
(9120 Hinton Avenue)

Christa R. Barkley  
Petitioner

\* BEFORE THE  
\* DEPUTY ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* CASE NO. 02-238-A

\*

\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a petition for variance filed by the legal owner of the subject property, Christa R. Barkley. The Petitioner is requesting a variance for property she owns at 9120 Hinton Avenue, located in the Millers Island area of Baltimore County. The property is zoned D.R.5.5 and is a waterfront lot. The variance request is to permit a new dwelling to be constructed on the property with side yard and rear yard setbacks of as close as 6 ft. and 7 ft. in lieu of the required 10 ft. and 30 ft.

Appearing at the hearing on behalf of the request were Christa Barkley, owner of the property and Buck Jones, her contractor. There were no protestants in attendance.

Testimony and evidence indicated that the property which is the subject of this variance request consists of 0.17 acres, more or less, zoned D.R.5.5. The subject property is a waterfront lot, located on Millers Island. It is improved with an existing one-story, single-family residential dwelling wherein Mrs. Barkley has resided for the past two years. She is desirous of tearing down the old shore home that has existed on this property for many years and replacing same with a new single-family structure. She proposes to locate the new home in approximately the same footprint as the existing home. It has been shifted slightly to realign the new home parallel to the existing property lines. In addition, she proposes to move the new home approximately 3

2/13/02  
B. R. Jones

ft. further away from Hinton Avenue than the existing dwelling. In order to proceed with the construction of her new home, the variance requests are necessary.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to Petitioner and her property. McLean v. Soley, 270 Md. 208 (1973).

To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. Of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

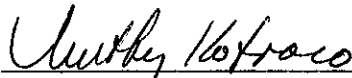
After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the property which is the subject of this request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not cause any injury to the public health, safety or general welfare, and meets the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and after considering the testimony and evidence offered by the Petitioner, I find that the Petitioner's variance request should be granted.

2/13/02  
S. Jenson

THEREFORE, IT IS ORDERED this 13<sup>th</sup> day of February, 2002, by this Deputy Zoning Commissioner for Baltimore County, that the Petitioner's request to permit a new dwelling to be constructed on the property with side yard and rear yard setbacks of as close as 6 ft. and 7 ft. in lieu of the required 10 ft. and 30 ft., be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

1. The Petitioner may apply for her building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at her own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

  
TIMOTHY M. KOTROCO  
DEPUTY ZONING COMMISSIONER  
FOR BALTIMORE COUNTY

TMK:raj



Baltimore County  
Zoning Commissioner

Suite 405, County Courts Bldg.  
401 Bosley Avenue  
Towson, Maryland 21204  
410-887-4386  
Fax: 410-887-3468

February 13, 2002

Ms. Christa R. Barkley  
9120 Hinton Avenue  
Baltimore, Maryland 21221

Re: Petition for Variance  
Case No. 02-238-A  
Property: 9120 Hinton Avenue

Dear Ms. Barkley:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Variance has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "Timothy M. Kotroco".

Timothy M. Kotroco  
Deputy Zoning Commissioner

TMK:raj  
Enclosure

c: Mr. Buck Jones  
500 Vogts Lane  
Baltimore, MD 21221

Come visit the County's Website at [www.co.ba.md.us](http://www.co.ba.md.us)



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on Recycled Paper



# Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 9120 Hinton Ave.

which is presently zoned DR 5.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1 B02, 3, C, 1 AND SECTIONS 304 AND 102, 4 TO PERMIT PROPOSED DWELLING WITH SIDE YARD AND REAR YARD SETBACKS OF AS CLOSE AS 6 FT AND 7 FT INSTEAD OF THE REQUIRED 10 FT AND 30 FT RESPECTIVELY, AND TO APPROVE AN UNDERSIZED LOT ALSO TO APPROVE THE BUILDING OF A DWELLING ON A LESS THAN 80,000 S.Q.F.T. LOT WHICH DOES NOT ABUT A 30 FT RIGHT A WAY.

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

SEE ATTACHED

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

## Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

## Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address Telephone No.

City State Zip Code

## Legal Owner(s):

Christa R. Barkley

Name - Type or Print

Signature

Name - Type or Print

Signature

9120 Hinton Ave. 410-661-2600

Address Telephone No.

Baltimore, MD 21221

City State Zip Code

## Representative to be Contacted:

Buck Jones

Name

500 Vogts Lane 410-574-9337

Address Telephone No.

Baltimore, MD 21221

City State Zip Code

## OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1/2 HR +

UNAVAILABLE FOR HEARING

Reviewed By SL Date 12/07/01

Case No. 02-238-A

2003/11/15/98

## **PETITION FOR VARIANCE**

ATTACHED SHEET FOR 9120 Hinton Avenue

The original structure which is close to 70 yrs. old, is in poor structural condition and will need to be razed and a new dwelling built. The rear set back is affected by the fact that DEPRM prefers dwellings to be built outside the 100' buffer when possible. The house will still be set an additional 3' off the rear set back line. Hinton Ave. is a small back street constructed mainly to feed the shore homes. The side yard is affected by the homeowner preference to keep the new structure close to the same foot print for easier and safer access to her front yard and to allow for parking.

238

**ZONING DESCRIPTION**

**ZONING DESCRIPTION FOR 9120 HINTON AVENUE**

BEGINNING AT A POINT ON THE NORTH SIDE OF HINTON AVENUE WHICH IS  
15 FEET WIDE AT THE DISTANCE OF 115 FEET SOUTH / WEST OF THE  
CENTERLINE OF THE NEAREST IMPROVED INTERSECTING STREET  
2 ND STREET WHICH IS 30 FEET WIDE. BEING LOT # 27 IN THE SUBDIVISION  
OF SWAN POINT AS RECORDED IN BALTIMORE COUNTY PLAT BOOK W.H.M # 9,  
FOLIO # 4, CONTAINING 7,550 SQ. FT. ALSO KNOWN AS 9120 HINTON AVE.  
AND LOCATED IN THE 15 TH ELECTION DISTRICT, 7 TH COUNCILMAN DISTRICT.

**BALTIMORE COUNTY, MARYLAND  
OFFICE OF BUDGET & FINANCE  
MISCELLANEOUS RECEIPT**

**No. 238 08183**

DATE 12/07/01 ACCOUNT 001-006-6150

AMOUNT \$ 100.00

RECEIVED FROM: FPEE STATE GEN. CONTRACTORS

FOR: RES VAR & UNDERSTOOD LOT APPRAVAL

DISTRIBUTION  
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

**PAID RECEIPT**

PAYMENT ACTUAL TIME  
2/07/2001 12/07/2001 09:41:00  
REG 4505 CASHIER REGS LOG INKMER  
>>> RECEIPT # 229802  
Dept 5 528 ZIMING VERIFICATION OFLN  
CR/HO. 008183  
Receipt Tot 100.00  
100.00 OK  
Baltimore County, Maryland .00 CA

**CASHIER'S VALIDATION**



**NOTICE OF ZONING HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case #02-238-A

9120 Hinton Avenue

WS of Hinton Avenue, 115' SW of 2nd Street

15th Election District - 7th Councilmanic District

Legal Owner(s): Christa R. Barkley

Variance: to permit a proposed dwelling with side yard

and rear yard setbacks of as close as 4.6 feet and 7 feet

from the required 10 feet and 30 feet respectively and to

approve an undersized lot. Also to approve this building of

a dwelling on a less than 20,000 square feet lot which

does about a 30-foot right-of-way.

Hearing: Tuesday, February 12, 2002 at 11:30 a.m. in

Room 407, County Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible for

special accommodations Please Contact the Zoning Com-

missioner's Office at (410) 887-4386.

(2) For information concerning the File and/or Hearing,

Contact the Zoning Review Office at (410) 887-3391.

HH-726-Rev. 29-99 C-17557

**CERTIFICATE OF PUBLICATION**

1/31, 2002

THIS IS TO CERTIFY, that the annexed advertisement was published  
in the following weekly newspaper published in Baltimore County, Md.,  
once in each of 1 successive weeks, the first publication appearing  
on 1/29/2002.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

S. Williams  
LEGAL ADVERTISING

# CERTIFICATE OF POSTING

2/12

RE. Case No 02-238-A

Petitioner/Developer: BARKLEY, ETAL  
B. JONES

Date of Hearing/Closing: 2/12/02

Baltimore County Department of  
Permits and Development Management  
County Office Building, Room 111  
111 West Chesapeake Avenue  
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens GEORGE ZAHNER

Ladies and Gentlemen,

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law  
were posted conspicuously on the property located at 9120 HINTON AVE

The sign(s) were posted on 1/27/02  
(Month, Day, Year)

Sincerely,  
Patrick M. O'Keefe 2/12/02  
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE  
(Printed Name)

523 PENNY LANE  
(Address)

HUNT VALLEY, MD. 21030  
(City, State, Zip Code)

410-666-5366 ; CELL-410-905-8571  
(Telephone Number)

# of pages	7671
Date	
From	
To	
Co./Dept.	
Phone #	
Fax #	

**ZONING NOTICE**  
CASE # 02-238-A

**A PUBLIC HEARING WILL BE HELD BY THE ZONING COMMISSIONER IN TOWSON, MD**

2001 407 COUNTY COURTS PL  
PLACE BLDG. 401 BOSLEY AVENUE

DATE AND TIME: TUESDAY, FEBRUARY 12, 2002 11:00AM

REQUEST VARIANCE TO PERMIT A PROPOSED CHANGING WITH SIDEYARD AND REAR YARD SETBACKS OF AS CLOSE AS A 6 FEET AND 7 FEET IN LIEU OF THE REQUIRED 10 FEET AND 30 FEET RESPECTIVELY AND TO APPEAL AN UNDESIZED LOT ALSO TO APPEAL THIS BUILDING OF A DWELLING ON A LOTS THAN 22,000 SQUARE FOOT LOT WHICH DOES NOT ABUT A 30-FOOT RIGHT OF WAY - 9120 HINTON AVE

POSTPONEMENTS WILL BE HEARD ON OTHER CONDITIONS THE TOWSON WILL NECESSARY TO CONTINUE HEARING CL. 11C-1101

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

# DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

## ZONING REVIEW

### ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighbor property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

**OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.**

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#### For Newspaper Advertising:

Item Number or Case Number: 02-238-A

Petitioner: ~~BUCK JONES~~ CHRIS BARKLEY

Address or Location: 9120 HINTON AVE.

PLEASE FORWARD ADVERTISING BILL TO:

Name: CHRIS BARKLEY

Address: 9120 HINTON AVE.

BAUT. MD. 21219

Telephone Number: 410-574-9337

TO: PATUXENT PUBLISHING COMPANY  
Tuesday, January 29, 2002 Issue – Jeffersonian

Please forward billing to:

Chris Barkley  
9120 Hinton Avenue  
Baltimore MD 21219

410 574-9337

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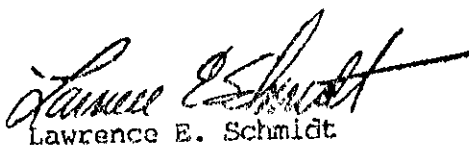
## NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 02-238-A  
9120 Hinton Avenue  
N/S of Hinton Avenue, 115' SW of 2<sup>nd</sup> Street  
15<sup>th</sup> Election District – 7<sup>th</sup> Councilmanic District  
Legal Owner: Christa R Barkley

Variance to permit a proposed dwelling with side yard and rear yard setbacks of as close as a 6 feet and 7 feet in lieu of the required 10 feet and 30 feet respectively and to approve an undersized lot. Also to approve this building of a dwelling on a less than 20,000 square feet lot which does; abut a 30-foot right-away.

HEARING: Tuesday, February 12, 2002 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT 602  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Baltimore County  
Department of Permits and  
Development Management

Director's Office  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204  
410-887-3353  
Fax: 410-887-5708

January 15, 2002

## NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 02-238-A  
9120 Hinton Avenue  
N/S of Hinton Avenue, 115' SW of 2<sup>nd</sup> Street  
15<sup>th</sup> Election District – 7<sup>th</sup> Councilmanic District  
Legal Owner: Christa R Barkley

Variance to permit a proposed dwelling with side yard and rear yard setbacks of as close as a 6 feet and 7 feet in lieu of the required 10 feet and 30 feet respectively and to approve an undersized lot. Also to approve this building of a dwelling on a less than 20,000 square feet lot which does abut a 30-foot right-away.

HEARING: Tuesday, February 12, 2002 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon G DZ  
Director

C: Christa R Barkley, 9120 Hinton Avenue, Baltimore 21221  
Buck Jones, 500 Vogts Lane, Baltimore 21221

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, JANUARY 28, 2002.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204  
pdmlandacq@co.ba.md.us

February 8, 2002

Christa R Barkley  
9120 Hinton Avenue  
Baltimore MD 21221

Dear Ms. Barkley:

RE: Case Number: 02-238-A, 9120 Hinton Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on December 07, 2001.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

A handwritten signature in cursive script that reads "W. Carl Richards, Jr.".

W. Carl Richards, Jr. 602  
Supervisor, Zoning Review

WCR: gdz

Enclosures

c: Buck Jones, 500 Vogts Lane, Baltimore 21221  
People's Counsel

Come visit the County's Website at [www.co.ba.md.us](http://www.co.ba.md.us)



Baltimore County  
Fire Department

Office of the Fire Marshal  
700 East Joppa Road  
Towson, Maryland 21286-5500  
410-887-4880

January 4, 2002

Department of Permits and  
Development Management (PDM)  
County Office Building, Room 111  
Mail Stop #1105  
111 West Chesapeake Avenue  
Towson, Maryland 21204

ATTENTION: Gwen Stephens

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF December 31, 2001

Item No.: See Below

Dear Ms. Stephens:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,  
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

221, 222, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234,  
235, 236, 237, ~~238~~, 239, and 240

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office  
PHONE 887-4881, MS-1102F

cc: File

Come visit the County's Website at [www.co.ba.md.us](http://www.co.ba.md.us)



**BALTIMORE COUNTY, MARYLAND**

**INTEROFFICE CORRESPONDENCE**

**TO:** Arnold Jablon, Director  
Department of Permits & Development Mgmt. **DATE:** January 24, 2002

**FROM:** Robert W. Bowling, Supervisor  
Bureau of Development Plans Review

**SUBJECT:** Zoning Advisory Committee Meeting  
For January 7, 2002  
Item No. 238

The Bureau of Development Plans Review has reviewed the subject zoning item.

The flood protection elevation for this site is 10.4 feet.

In conformance with *Federal Flood Insurance* requirements, the first floor or basement floor must be at least 1 foot above the flood plain elevation in all construction.

In accordance with *Bill No. 18-90, Section 26-276*, filling within a flood plain is prohibited.

The property to be developed is located adjacent to tidewater. The developer is advised that the proper sections of the *Baltimore County Building Code* must be followed whereby elevation limitations are placed on the lowest floor (*including basements*) of residential (*commercial*) development.

The building engineer shall require a permit before any development on this site. Buildings shall be designed and adequately anchored to prevent flotation collapse or lateral movement of structures with materials resistant to flood damage flood. Construction shall be in accordance with *BOCA International Building Code* adopted by Baltimore County.

RWB:HJO:jrb

cc: File



Jim  
2/12

# BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

**TO:** Arnold Jablon, Director  
Department of Permits and  
Development Management

**DATE:** January 8, 2002

**FROM:** Arnold F. 'Pat' Keller, III  
Director, Office of Planning

**SUBJECT:** Zoning Advisory Petition(s): Case(s) 02-225, 02-227 & 02-238

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by:

Mark A. Cunningham

JAN - 8

Section Chief:

Jeffrey W. Long

AFK/JL:MAC



**Maryland Department of Transportation**  
**State Highway Administration**

Parris N. Glendening  
Governor

John D. Porcari  
Secretary

Parker F. Williams  
Administrator

Date: 1.2.62

Mr. George Zahner  
Baltimore County Office of  
Permits and Development Management  
County Office Building, Room 109  
Towson, Maryland 21204

RE: Baltimore County  
Item No. [REDACTED] J L

Dear Mr. Zahner:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

Kenneth A. McDonald Jr., Chief  
Engineering Access Permits Division

My telephone number is \_\_\_\_\_

Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

RE: PETITION FOR VARIANCE  
9120 Hinton Avenue, N/S Hinton Ave,  
115' SW of 2nd St  
15th Election District, 7th Councilmanic

Legal Owner: Christa R. Barkley  
Petitioner(s)

\* BEFORE THE  
\* ZONING COMMISSIONER  
\* FOR  
\* BALTIMORE COUNTY  
\* Case No. 02-238-A


\* \* \* \* \*

**ENTRY OF APPEARANCE**

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order. **All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.**



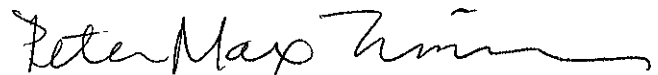
PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County



CAROLE S. DEMILIO  
Deputy People's Counsel  
Old Courthouse, Room 47  
400 Washington Avenue  
Towson, MD 21204  
(410) 887-2188

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 23<sup>rd</sup> day of January, 2002 a copy of the foregoing Entry of Appearance was mailed to Buck Jones, 500 Vogts Lane, Baltimore, MD 21221, representative for Petitioners.



PETER MAX ZIMMERMAN

I understand Chris Barkley is  
going to build a new house.

I prefer the house site to  
remain in the same spot as  
it is now, I live next door  
& we have no problem with  
the set back as it is now.

Randona Linn 2/9/02  
Jim Robinson 2/9/02

Det 3x #2



**Baltimore County  
Department of Environmental Protection  
and Resource Management**

401 Bosley Avenue, Suite 416  
Towson, Maryland 21204

January 29, 2002

Mr. Chris Barkley  
9120 Hinton Avenue  
Baltimore, MD 21219

Re: Permit Application #B472630  
New dwelling-9120 Hinton Avenue

Dear Mr. Barkley:

Environmental Impact Review (EIR) has reviewed the above-referenced permit application for the proposed dwelling and has placed the application on hold because we need to convey to you the following regulations.

The property is located in the Buffer Management Area (BMA) and Limited Development Area (LDA) of the Chesapeake Bay Critical Area (CBCA). Impervious surfaces are limited to 25% for lots under 1/2 acre in size. The lot size is 7,550 square feet. Twenty-five percent (25%) of the lot is 1,888 square feet. Existing Imperviousness of the lot is 2,019 square feet or 26.7%. Proposed Imperviousness of the lot will be 1,274 square feet or 16.9% for the proposed dwelling and sidewalk. You have 745 square feet of imperviousness left for a driveway, shed, pool, etc. You will be allowed to go up to 26.7% Imperviousness during redevelopment of the site without being required doing mitigation.

Another regulation states there must be a minimum 15% tree cover. This equates to 2 trees for a lot of this size. Since no trees currently exist, two (2) 5-6 foot tall, native, deciduous tree must be planted on the lot prior to release of the U & O certificate.

Lastly, the proposed dwelling cannot go any closer to the water than the existing dwelling which is 60' from mean high tide at its closest point. The above items will be checked during the Use & Occupancy inspection.

In order for the subject permit application to be approved by EIR, please sign and return a copy of this letter to indicate your understanding of the CBCA Regulations.

If you have any questions regarding these requirements or if we can be of assistance, please contact me at 410-887-3980.

Sincerely yours,

*Keith Kelley*  
Keith Kelley  
Natural Resource Specialist  
Environmental Impact Review

*Pet Ex 3*

Come visit the County's Website at [www.co.ba.md.us](http://www.co.ba.md.us)



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on Recycled Paper

# Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 9120 HINTON AVE

Subdivision name: SWAN POINT

plat book # 9, folio # 4, lot # 27, section #

OWNER: CHRIST BARKLEY

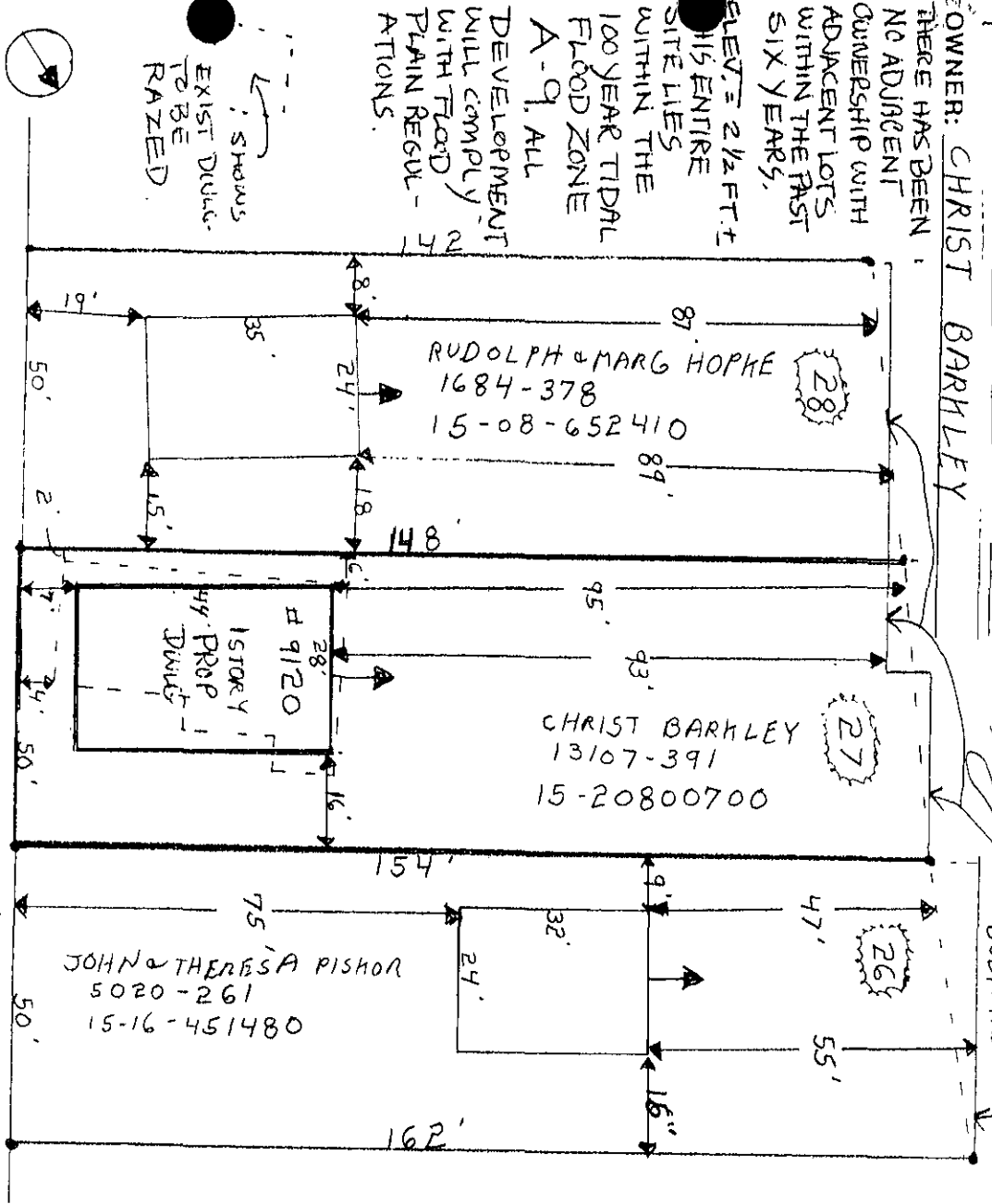
THERE HAS BEEN NO ADJACENT OWNERSHIP WITH ADJACENT LOTS WITHIN THE PAST SIX YEARS.

ELEV = 2 1/2 FT. ±

THIS ENTIRE SITE LIES WITHIN THE 100 YEAR TIDAL FLOOD ZONE

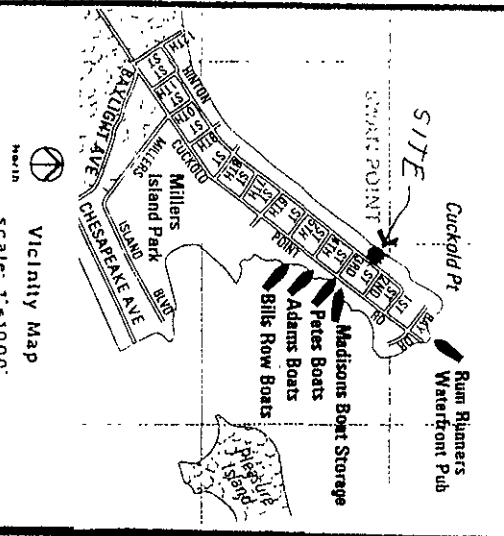
A-9. ALL DEVELOPMENT WILL COMPLY WITH FLOOD PLAIN REGULATIONS.

EXIST DUCT TO BE RAZED.



North  
date: 11-29-01  
prepared by: BUCK JONES  
Scale of Drawing: 1" = 30'

See pages 5 & 6 of the CHECKLIST for additional required information



## LOCATION INFORMATION

Election District: 15  
Councilmanic District: 7

1" = 200' scale map. SEE CK

Zoning: DR5.5  
Lot size: .17 acreage 7550 square feet

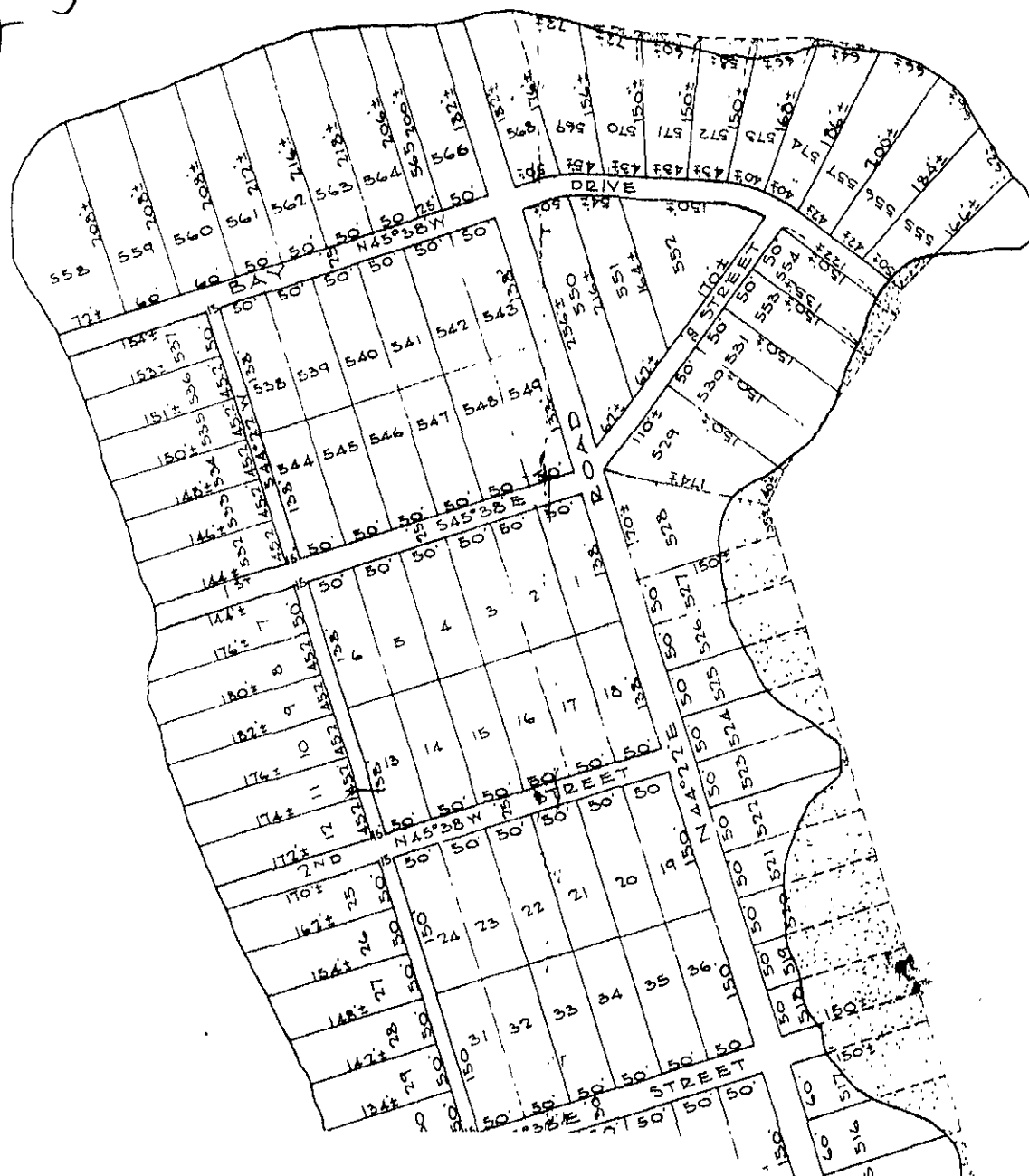
SEWER: ☒ PUBLIC ☐ PRIVATE  
WATER: ☒ ☐  
Chesapeake Bay Critical Area: ☒ ☐  
Prior Zoning Hearings: NONE

Zoning Office USE ONLY!  
reviewed by: ITEM #: CASE #:

UL 238

*Rel. Ex. #1*

238



REVISED  
PLAT  
OF

SWAN POINT

A DEVELOPMENT OF THE  
THE HART & MILLER ISLAND CO.

SCALE 1 IN = 100 FT

1928

142.4 10

[illegible]

	BY	DATE

1" = 200'

DATE OF  
PHOTOGRAPHY  
DEC. 1954

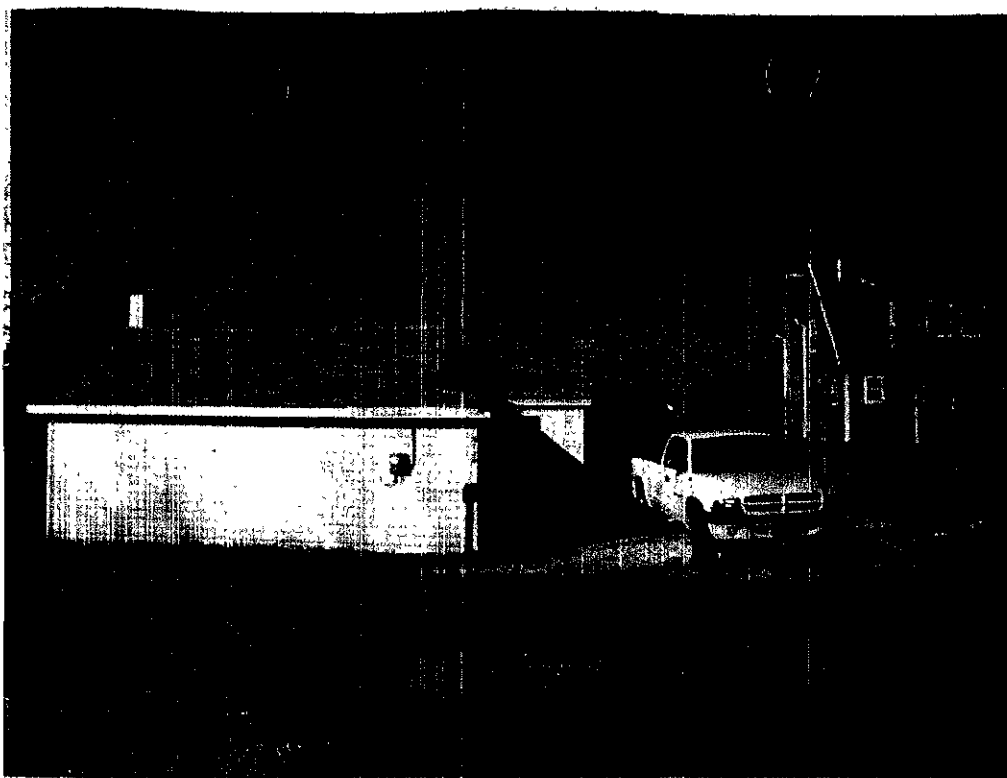
CUCKOLD POINT  
NEW BAY SHORE PARK

S. E.  
G-K

Jty Compiled By Photogrammetric Methods  
 AERIAL SURVEY CORP LANSING MICH.



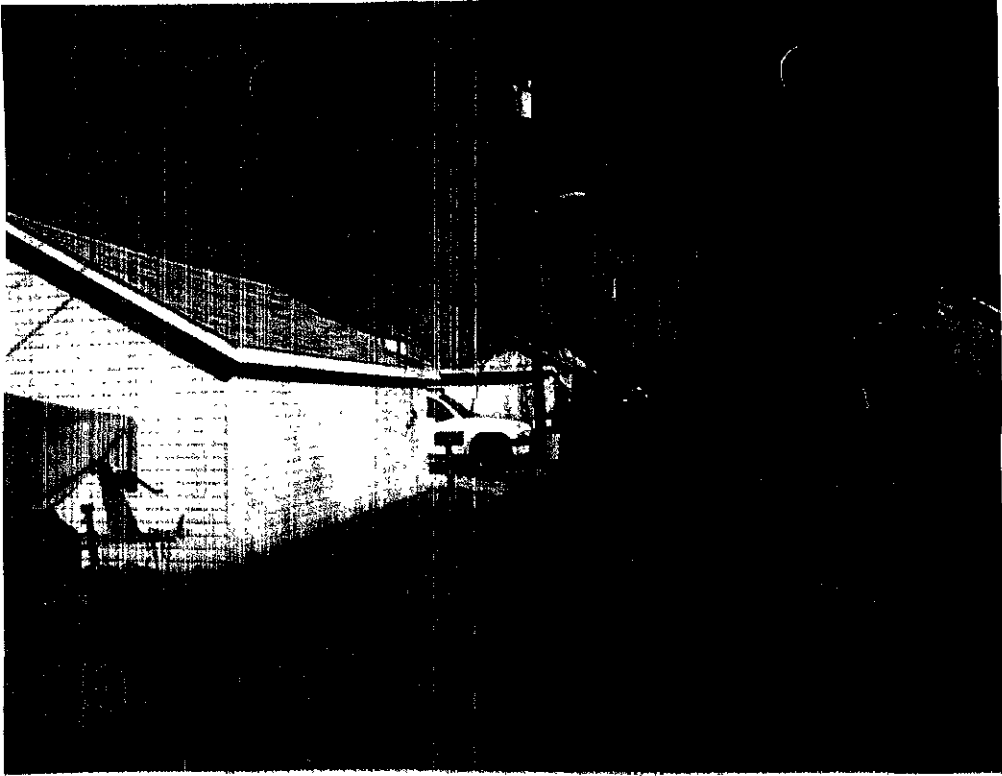
S. E.  
6-K



STANDING ON HINTON AVE LOOKING NORTH-WEST  
STRAIGHT INTO LOT



STANDING ON HINTON AVE LOOKING SOUTH-EAST  
STRAIGHT ACROSS STREET FROM LOT



STANDING ON HINTON AVE. LOOKING NORTH  
PROPOSED PROPERTY ON LEFT



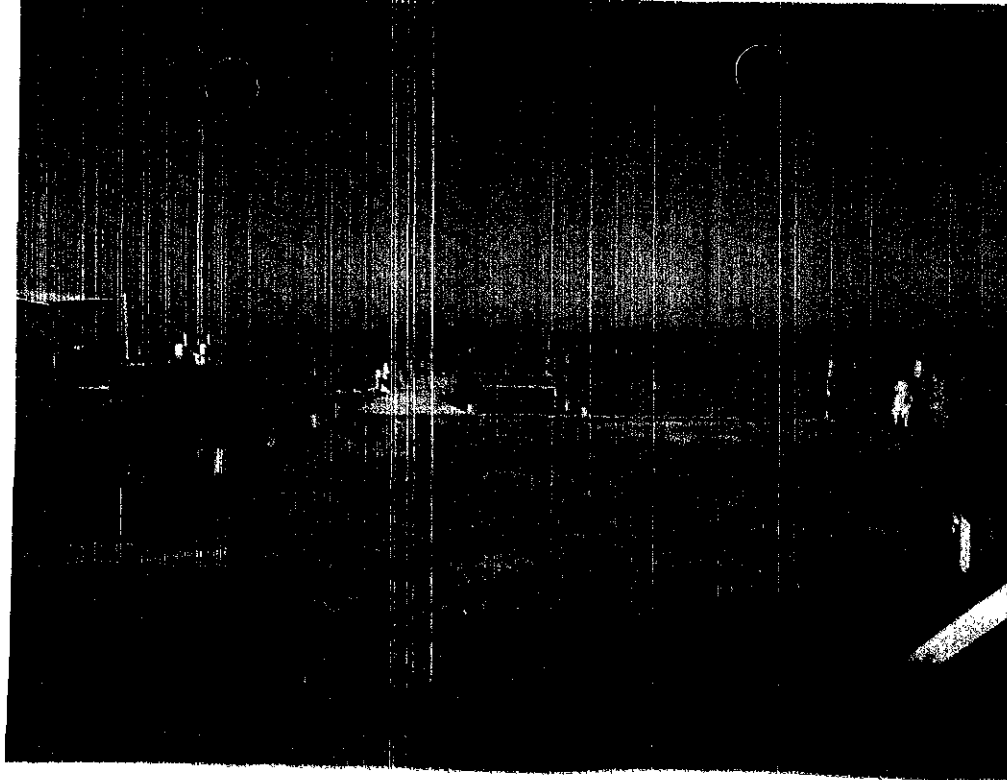
STANDING ON HINTON AVE LOOKING SOUTH  
PROPOSED PROPERTY ON RIGHT



STANDING ON PROPOSED PROPERTY'S PIER  
LOOKING SOUTH EAST



STANDING ON PROPOSED PROPERTY'S PIER  
LOOKING SOUTH WEST



STANDING IN FRONT OF EXISTING STRUCTURE  
LOOKING OUT OVER THE BACK RIVER



STANDING ON PROPOSED PROPERTY'S PIER LOOKING  
EAST AT EXISTING STRUCTURE.

# HINTON AVENUE HOUSES



HOUSE ON LEFT IS +/- 3' OFF ROAD



HOUSE ON LEFT IS +/- 4' OFF ROAD

HINTON AVENUE HOUSES



HOUSE ON RIGHT IS +/- 5' OFF ROAD



HOUSE ON RIGHT IS +/- 8' OFF ROAD

HINTON AVENUE HOUSES



HOUSE ON LEFT IS +/- 8' OFF HINTON AVENUE



HOUSE ON LEFT IS +/- 4' OFF ROAD  
HOUSE ON RIGHT IS +/- 8' OFF ROAD



HINTON AVENUE HOUSES



HOUSE ON RIGHT IS +/- 3' OFF ROAD

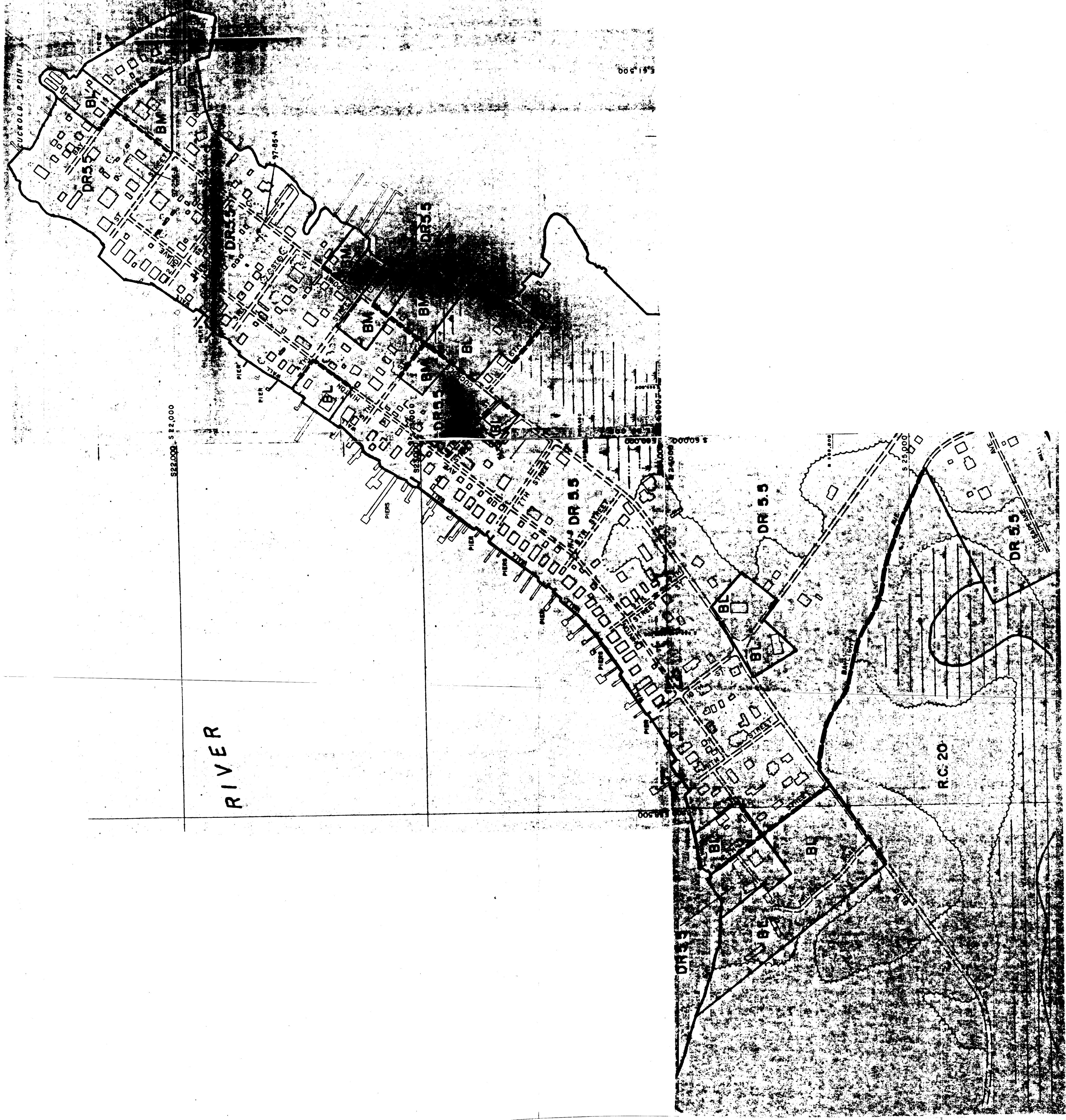


HOUSE ON LEFT IS +/- 4' OFF ROAD

HINTON AVENUE HOUSES



HOUSE ON RIGHT IS +/- 6' OFF ROAD



BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon  
FROM: Todd G. Taylor *TGT*  
DATE: January 17, 2002  
SUBJECT: Zoning Item 238  
Address 9120 Hinton Avenue

Zoning Advisory Committee Meeting of 12/31/01

\_\_\_\_\_ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

\_\_\_\_\_ The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which environmental regulations apply to the site.

X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

\_\_\_\_\_ Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).

\_\_\_\_\_ Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code).

X Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

X Additional Comments:

This lot is in a Buffer Management Area (BMA) of the CBCA. The placement of additional impervious surfaces within 10 feet of the water will require mitigation.

Reviewer: Keith Kelley

Date: 1/09/02